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WESTERN DISTRICT OF LOUISIANA

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF LOUISIANA  
ALEXANDRIA DIVISION

CURTIS PRUITT,  
Plaintiff

CIVIL ACTION  
NO. CV03-2221-A

VERSUS

HARRIS HATCHETT, et al.,  
Defendants

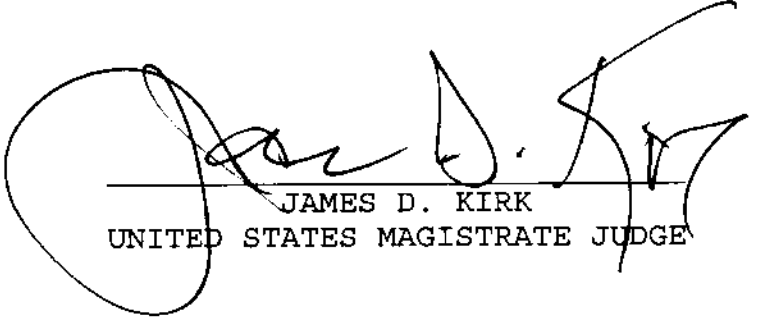
JUDGE DEE D. DRELL  
MAGISTRATE JUDGE JAMES D. KIRK

CERTIFICATION THAT APPEAL WAS NOT TAKEN IN GOOD FAITH

Pruitt appealed the entirety of the district court's ruling on June 29, 2005 (Doc. Item 50), and filed a motion to proceed in forma pauperis on appeal (Doc. Item 65), which this court denied without reasons (Doc. Item 66). The Fifth Circuit Court of Appeals ordered this court to provide a written explanation of why this court certified that Pruitt's appeal was not taken in good faith.

Pruitt's motion to proceed in forma pauperis on appeal was denied because his excessive force claims were entirely frivolous and had no possibility of success. Pruitt failed entirely to allege or show an injury; Pruitt's medical records did not reflect any injury resulting from the incident. Since Pruitt has failed to show that his appeal involves legal points arguable on their merits and there is no disputable evidence, the district court certified that Pruitt's appeal was not taken in good faith.

THUS DONE AND SIGNED in Alexandria, Louisiana, on this 4<sup>th</sup>  
day of January, 2007.



JAMES D. KIRK  
UNITED STATES MAGISTRATE JUDGE